

### **REMARKS**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 7 and 13-19 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-20 remain pending in this application.

#### **Summary of Claim Status:**

Claims 1, 7, 13 and 17 are objected to because of certain informalities.

Claims 7-12 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter.

Claims 1-20 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent Application Publication No. 2001/0038392 to Humpleman *et al.* (hereinafter “Humpleman”).

#### **Discussion of Claim Objections:**

The Examiner has objected to the word “actuable” in claims 1, 7, 13 and 17, and has suggested using the phrase “able to be actuated.” See Office Action, dated July 6, 2009, page 2, item 3.

Applicant has amended claims 1, 7, 13 and 17 to replace “actuable” with “able to be actuated.” Accordingly, Applicant respectfully requests that objections to claims 1, 7, 13 and 17 be withdrawn.

**Discussion of Claim Rejections under 35 U.S.C. § 101:**

The Examiner has rejected claims 7-12 under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. In particular, the Examiner is arguing that claim 7 is directed to a computer program, per se, which is considered non-statutory subject matter. See Office Action, dated July 6, 2009, page 3, item 6.

Applicant has amended claim 7 to recite that the computer program product is “embodied on a computer readable medium.” Support for the amended portions of claim 7 may be found in the originally filed specification and drawings at, for example, page 4, paragraph [0019], which describes a mobile telephone within which the various embodiments of the present invention may be implemented. This section of the specification further describes that such a mobile phone, among other components, comprises computer readable media such as a smart card and a memory that are communicatively connected to a controller.

Amended claim 7, as well as dependent claims 8-12, are, therefore, directed to a computer readable medium, which is considered statutory subject matter under 35 U.S.C. § 101. Accordingly, Applicant respectfully requests that claim rejections under 35 U.S.C. § 101 be withdrawn.

**Discussion of Claim Rejections under 35 U.S.C. § 102(b):**

The Examiner has rejected claims 1-20 under 35 U.S.C. § 102(b) as allegedly being anticipated by Humpleman. Applicant respectfully disagrees with the Examiner’s interpretation of the disclosure of Humpleman as it relates to the pending claims and, therefore, traverses these rejections for at least the reasons that follow.

In rejecting claim 1, the Examiner has relied on paragraph [0090] of Humpleman as allegedly disclosing making at least one HTTP request to each of the IP addresses. See Office Action, dated July 6, 2009, page 4, lines 1-2. Applicant respectfully disagrees. This section of Humpleman’s describes a home device discovery process that is also illustrated in Humpleman’s Figure 4. According to Humpleman, when a device is connected to the home network and powered on, the home device broadcasts its presence over the network in order to extract its configuration from the DHCP server. Upon the receipt of this request from the

home device, the DHCP server generates a unique IP address and a logical name and communicates them back to the home device. As such, this section of Humpleman merely relates to generating and assigning an IP address and a logical name to the home device, which are then communicated to the home device by the DHCP server.

In contrast, pending claim 1 recites “making at least one HTTP request to each of the IP addresses.” Thus, while Humpleman’s disclosure describes a request that is issued by the home device for an IP address and a logical name, the above-noted features of claim 1 relate to making a request to the already-known IP addresses. Therefore, Humpleman fails to teach or suggest making at least one request to each of the IP addresses, which is recited in pending claim 1. Accordingly, claim 1 is patentable for at least that reason.

Further, as described in the originally filed specification at, for example, pages 4 and 5, paragraphs [0020] and [0021], embodiments of the present invention relate to providing an HTTP service discovery that enables the discovery of the devices of any normal web server with any normal web browser. To this end, the above-noted feature of claim 1 relates to making at least one HTTP request to each of the IP addresses. There are no teachings or suggestions in Humpleman of an HTTP service discovery and/or sending an HTTP request to an IP address, as recited in pending claim 1. Accordingly, claim 1 is patentable for at least this additional reason.

Claims 7, 13 and 17 recite similar features as claim 1. Accordingly, claims 7, 13 and 17 are patentable for similar reasons as claim 1.

As to claims 2-6, 8-12, 14-16 and 18-20, these claims depend, either directly or indirectly, from one of allowable claims 1, 7, 13 or 17, and are, therefore, patentable for at least that reason, as well as for other patentable features when these claims are considered as a whole.

**Other Claim Amendments:**

Applicant has made other amendments to claims 1, 7 and 13-19 to clarify various features of these claims and/or to provide proper antecedent basis for some of the recited features. These amendments are not made for any reasons related to patentability and do not

affect the scope of the pending claims. These amendment are also fully supported by the originally filed specification. In particular, the amendments to claims 13-19 are described at, for example, pages 3 to 4, paragraphs [0017] to [0019], as well as page 5, paragraph [0022] of the originally filed specification. No new matter is introduced.

**Conclusion:**

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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